

Remarks

This Amendment is in response to the Office Action dated **August 4, 2009**. Each issue in the Office Action is addressed below.

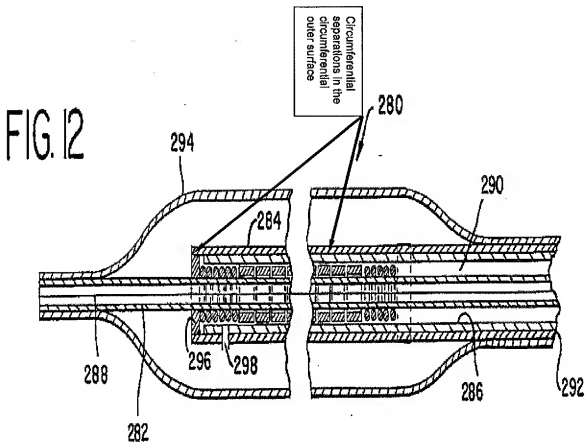
§102/103 Rejections

Claims 32-35, 40, 45-47, 50-52 are rejected under 35 U.S.C. §102(e) as being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over Waksman et al-5,899,882. A full account of the rejection is found page 2-4 of the Office Action.

Although Applicant does not concur with the rejection and the unreasonable characterization of the claim terms and their application to the cited reference, independent claim 32, upon which claims 33-35, 40, 45-47 and 50-52 depend, has been amended to further distinguish it from the cited reference.

Claim 32 has been amended to require that "the circumferential surface is a surface of the mounting body that is outermost relative to the center axis and that faces radially away from the center axis and toward the medical balloon" and that "the at least one separation is exposed to a portion of the medical balloon which is located along a radial line which extends from the center axis and through the separation".

The rejection fails at least because, as shown below from page 3 of the Office Action in a marked up representation of figure 12 of the cited reference, the designated "circumferential separations" of figure 12 are not in a circumferential surface of the mounting body which "is a surface of the mounting body that is outermost relative to the center axis and that faces radially away from the center axis and toward the medical balloon" as required by claim 32. Moreover, they are not "exposed to...the medical balloon" as required by claim 32.



At least for this reason, the rejection fails to provide for each and every element of independent claim 32. Withdrawal of the rejection is therefore respectfully requested.

§103 Rejections

(1)

Claims 32, 35, 42, 45 and 52 are rejected under 35 U.S.C. §103(a) as being unpatentable over Waksman et al. (US 5,899,882) in view of Danforth et al. (US 5,192,295). A full account of the rejection is found on page 4 of the Office Action.

As mentioned above, independent claim 32, upon which claims 35, 42, 45 and 52 depend, has been amended to further distinguish it from the cited reference Waksman et al. Since the present rejection depends upon the above discussed anticipation rejection based on Waksman et al., it similarly fails. Danforth et al. offers no assistance in remedying the above noted deficiencies. Withdrawal of the rejection is therefore respectfully requested.

(2)

Claims 43-44 are rejected under 35 U.S.C. §103(a) as being unpatentable over Waksman et al. (US 5,899,882). A full account of the rejection is found on pages 4-5 of the Office Action.

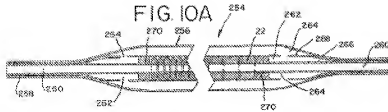
As mentioned above, independent claim 32, upon which claims 43-44 depend, has been amended to further distinguish it from the cited reference Waksman et al. Since the present rejection depends upon the above discussed anticipation rejection based on Waksman et al., it similarly fails. Danforth et al. offers no assistance in remedying the above noted deficiencies. Withdrawal of the rejection is therefore respectfully requested.

(3)

Claims 32, 45 and 47 are rejected under 35 U.S.C. §103(a) as being unpatentable over Waksman et al. (US 5,899,882) in view of Danforth et al.(US 5,192,295). A full account of the rejection is found on page 5 of the Office Action.

As mentioned above, although Applicant does not concur with the rejection, independent claim 32, upon which claims 45 and 47 depend, has been amended to further distinguish it from the cited reference.

Claim 32 has been amended such that it is required that “the circumferential surface is a surface of the mounting body that is outermost relative to the center axis and that faces radially away from the center axis and toward the medical balloon” and that “the at least one separation is exposed to a portion of the medical balloon which is located along a radial line which extends from the center axis and through the separation”. The rejection fails at least because, as shown below from cited figure 10A of the Waksman et al., the designated “circumferential separations” in rings 22 are not in a circumferential outer surface of the mounting body which “is a surface of the mounting body that is outermost relative to the center axis and that faces radially away from the center axis and toward the medical balloon” and they are not “exposed to...the medical balloon” as required by claim 32.



At least for this reason, the rejection fails to provide for each and every element of independent claim 32. Danforth et al. offers no assistance in remedying the above noted deficiencies. Withdrawal of the rejection is therefore respectfully requested.

Allowable Subject Matter

The allowability of claim 39 on page 6 of the Office Action is acknowledged. However, at least due to the amendment to claim 32, upon which claim 39 depends, rewriting the claim in to independent form is unnecessary for allowance.

Miscellaneous

Claims 33, 36, 39 and 40 have been amended. No new matter has been added.

The remaining assertions in numbered paragraphs in the Office Action that are not specifically addressed above have not been specifically addressed because it is unnecessary and moot in light of Applicant's amendments and comments shown above. It should not be construed that Applicant acquiesces to the unaddressed assertions. Applicant reserves the right to address these assertions at a later date if needed.

Conclusion

The application should now be in condition for allowance. Allowance of the pending claims is therefore earnestly solicited. If the Examiner would like to further discuss the case, he is encouraged to contact the undersigned.

Respectfully submitted,

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